

11/03/99

A#2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: John E. Donohue
Title: DIGITAL RETURN PATH FOR HYBRID FIBER/COAX NETWORK
Attorney Docket No.: 500.722US1

JC-504 U.S. PRO
 09/433332

 11/03/99

PATENT APPLICATION TRANSMITTAL

BOX PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

We are transmitting herewith the following attached items and information (as indicated with an "X"):

- X Utility Patent Application under 37 CFR § 1.53(b) comprising:
- X Specification (15 pgs, including claims numbered 1 through 29 and a 1 page Abstract).
 - X Formal Drawing(s) (2 sheets).
 - X Signed Combined Declaration and Power of Attorney (3 pgs).
 - X Check in the amount of \$1,000.00 to pay the filing fee.
- X Assignment of the invention to ADC Telecommunications, Inc. (2 pgs) and Recordation Form Cover Sheet.
- X Check in the amount of \$40.00 to pay the Assignment recording fee.
- X Information Disclosure Statement (1 pgs), Form 1449 (1 pgs), and copies of cited references (6).
- X Return postcard.

The filing fee has been calculated below as follows:

	No. Filed	No. Extra	Rate	Fee
TOTAL CLAIMS	29 - 20 =	9	x 18 =	\$162.00
INDEPENDENT CLAIMS	4 - 3 =	1	x 78 =	\$78.00
[] MULTIPLE DEPENDENT CLAIMS PRESENTED				\$0.00
BASIC FEE				\$760.00
TOTAL				\$1,000.00

Please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: _____
Atty: David N. Fogg
Reg. No. 35,138

Customer Number 21186

"Express Mail" mailing label number: EL530191041US

Date of Deposit: November 3, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.

By: Chris Hammond

Signature: Chris Hammond

Courtesy Com

In re Patent Application of: John E. Donohue
Title: DIGITAL RETURN PATH FOR HYBRID FIBER/COAX NETWORK
Attorney Docket No.: 500.722US1

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

ORD

CONTENTS: UTILITY PATENT APPLICATION : Specification (15 pgs, including claims numbered 1 through 29 and a 1 page Abstract); Formal Drawing(s) (2 sheets); Signed Combined Declaration and Power of Attorney (3 pgs); Check in the amount of \$1,000.00 to pay the filing fee; Assignment of the invention to ADC Telecommunications, Inc. (2 pgs) and Recordation Form Cover Sheet; Check in the amount of \$40.00 to pay the Assignment recording fee; Information Disclosure Statement (1 pgs); Form 1449 (1 pgs) , and copies of cited references (6) ;return postcard and transmittal sheet.

EXPRESS MAIL LABEL NO. EL530191041US
Mailed: November 3, 1999
DNF/jco

JC584 U.S. PTO
09/433332
11/03/99

In re Patent Application of: John E. Donohue
Title: DIGITAL RETURN PATH FOR HYBRID FIBER/COAX NETWORK
Attorney Docket No.: 500.722US1

Receipt is hereby acknowledged for the following in the United States Patent and Trademark Office:

ORD

CONTENTS: UTILITY PATENT APPLICATION : Specification (15 pgs, including claims numbered 1 through 29 and a 1 page Abstract); Formal Drawing(s) (2 sheets); Signed Combined Declaration and Power of Attorney (3 pgs); Check in the amount of \$1,000.00 to pay the filing fee; Assignment of the invention to ADC Telecommunications, Inc. (2 pgs) and Recordation Form Cover Sheet; Check in the amount of \$40.00 to pay the Assignment recording fee; Information Disclosure Statement (1 pgs); Form 1449 (1 pgs) , and copies of cited references (6) ;return postcard and transmittal sheet.

EXPRESS MAIL LABEL NO. EL530191041US
Mailed: November 3, 1999
DNF/jcb

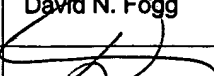
EL530191041US

12/2/99
Your shipment
Document
Document
FOR
ESS HARD
You are making 3 copies

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2002</h2> <p style="margin: 0; font-size: small;">Patent fees are subject to annual revision.</p>		Complete if Known	
		Application Number	09/433,332
		Filing Date	11/3/99
		First Named Inventor	Donahue
		Examiner Name	D. Ryman
		Group Art Unit	2665
		Attorney Docket No.	100.115US01
<input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27			
TOTAL AMOUNT OF PAYMENT		(\$) 180.00	

METHOD OF PAYMENT (check all that apply)	FEE CALCULATION (continued)																																																																																																																																																																																		
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 502432 Deposit Account Name: Fogg and Associates, LLC The Commissioner is authorized to: (check all that apply) <input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td></td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to Institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Processing fee under 37 CFR 1.17(q)</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td>180.00</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR § 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR § 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month		118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal		120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to Institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Processing fee under 37 CFR 1.17(q)		126	180	126	180	Submission of Information Disclosure Stmt	180.00	581	40	581	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																															
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
115	110	215	55	Extension for reply within first month																																																																																																																																																																															
116	400	216	200	Extension for reply within second month																																																																																																																																																																															
117	920	217	460	Extension for reply within third month																																																																																																																																																																															
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																															
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																															
119	320	219	160	Notice of Appeal																																																																																																																																																																															
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																															
121	280	221	140	Request for oral hearing																																																																																																																																																																															
138	1,510	138	1,510	Petition to Institute a public use proceeding																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																															
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																															
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																															
143	460	243	230	Design issue fee																																																																																																																																																																															
144	620	244	310	Plant issue fee																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																															
123	50	123	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																															
126	180	126	180	Submission of Information Disclosure Stmt	180.00																																																																																																																																																																														
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																															
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																															
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																															
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																															
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																															
FEE CALCULATION 1. BASIC FILING FEE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>740</td> <td>201</td> <td>370</td> <td>Utility filing fee</td> <td>\$0</td> </tr> <tr> <td>106</td> <td>330</td> <td>206</td> <td>165</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>107</td> <td>510</td> <td>207</td> <td>255</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>108</td> <td>740</td> <td>208</td> <td>370</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>114</td> <td>160</td> <td>214</td> <td>80</td> <td>Provisional filing fee</td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (1) (\$)</p> 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>102</td> <td>84</td> <td>202</td> <td>42</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>104</td> <td>280</td> <td>204</td> <td>140</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>109</td> <td>84</td> <td>209</td> <td>42</td> <td>**Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>**Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> </tbody> </table> <p style="text-align: right;">SUBTOTAL (2) (\$)</p> <p style="font-size: x-small;">** or number previously paid, if greater; For Reissues, see above</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	740	201	370	Utility filing fee	\$0	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	103	18	203	9	Claims in excess of 20		102	84	202	42	Independent claims in excess of 3		104	280	204	140	Multiple dependent claim, if not paid		109	84	209	42	**Reissue independent claims over original patent		110	18	210	9	**Reissue claims in excess of 20 and over original patent		<p>Other fee (specify) _____</p> <p style="text-align: right;">SUBTOTAL (3) (\$)</p>																																																																																																		
Large Entity		Small Entity		Fee Description			Fee Paid																																																																																																																																																																												
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
101	740	201	370	Utility filing fee	\$0																																																																																																																																																																														
106	330	206	165	Design filing fee																																																																																																																																																																															
107	510	207	255	Plant filing fee																																																																																																																																																																															
108	740	208	370	Reissue filing fee																																																																																																																																																																															
114	160	214	80	Provisional filing fee																																																																																																																																																																															
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
103	18	203	9	Claims in excess of 20																																																																																																																																																																															
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																															
104	280	204	140	Multiple dependent claim, if not paid																																																																																																																																																																															
109	84	209	42	**Reissue independent claims over original patent																																																																																																																																																																															
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																															

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	David N. Fogg	Registration No. (Attorney/Agent)	35,138
Signature		Telephone	612/332-4720, Ext. 225
		Date	October 3, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMG control number.

CHANGE OF CORRESPONDENCE ADDRESS *Application*

Address to:
Commissioner for Patents
Washington, D.C. 20231

Application Number	09/433,332
Filing Date	11/3/99
First Named Inventor	Donohue
Art Unit	2665
Examiner Name	D. Ryman
Attorney Docket Number	100.115US01

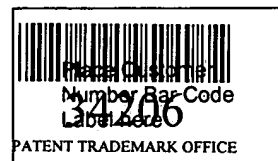
Please change the Correspondence Address for the above-identified application to:



Customer Number

Type Customer Number Here

OR


☐ Firm or Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

This form cannot be used to change the data associated with a Customer Number. To change the data associated with an existing Customer Number use "Request for Customer Number Data Change" (PTO/SB/124).

I am the :



Applicant/Inventor.



Assignee of record of the entire interest.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).



Attorney or Agent of record.



Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number _____

Typed or Printed
Name

David N. Fogg

Signature

Date

October 3, 2002

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of _____ 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.